

FILED
STRICT COURT
OF MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Northern Division

2007 APR -3 P 3:31

Amadi Nwokocha,

Plaintiff,

Civil Action No.

TY

v.

AMD 07CV0861

Kalico Exports, Inc., et al.,

Defendants.

* * * * *

PETITION FOR REMOVAL PURSUANT TO
28 U.S.C. §§ 1446 AND 1337

Defendants/petitioners Hapag-Lloyd A/G (including "CP Ships") and Hapag-Lloyd (America) Inc. hereby petition this Court pursuant to 28 U.S.C. § 1446 and 1337 to remove to this Court the above-captioned civil action now pending in the Circuit Court for Baltimore City, Maryland, and further represents as follows

Defendants/petitioners Hapag-Lloyd A/G (including "CP Ships")¹ and Hapag-Lloyd (America) Inc. are defendants in the civil action now pending in the Circuit Court for Baltimore City, Maryland, Civil Case No. 24C07002146, filed on or about March 28, 2007. No trial has yet been had therein. Copies of all process, pleadings and orders served upon defendants/petitioners in such action are attached hereto.

2. Circuit Court for Baltimore City, Maryland, Civil Case No. 24C07002146 is one which may be removed pursuant to 28 U.S.C. § 1446, because this Court has original jurisdiction

¹ "CP Ships," is misnamed as a defendant; CP Ships in 2005 became a part of Hapag-Lloyd A/G. To the extent that any separate response/petition nevertheless is required for "CP Ships," this is included in each response/petition by Hapag-Lloyd A/G.

pursuant to 28 U.S.C. § 1337 in that the matter concerns a civil action or proceeding arising under an Act of Congress regulating commerce, including, the Harter Act, 46 U.S.C. § 30706 and 49 U.S.C. § 14706. The matter in controversy for each receipt or bill of lading exceeds \$10,000, exclusive of interest and costs

WHEREFORE, this action now pending in the Circuit Court for Baltimore City, Maryland, Civil Case No. 24C07002146, filed on or about March 28, 2007, is properly removed pursuant to 28 U.S.C. §§ 1446 and 1337.

Dated: April 7, 2007.

/s/ J. Stephen Simms
J. Stephen Simms (#4269)
Donna Davis Ebaugh
Simms Showers LLP
20 South Charles Street
Suite 702
Baltimore, Maryland 21201
Telephone: (410) 783-5795
Facsimile: (410) 510-1789

Hapag-Lloyd A/G (including "CP Ships"), and
Hapag-Lloyd (America) Inc. Counsel

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2007, I caused a copy of the foregoing to be served by

First Class United States Mail as follows:

Uduak J. Ubom, Esq.
Obinna Duruji, Esq.
7600 Georgia Ave NW
Suite 411
Washington, D.C. 20012

KALICO EXPORTS, INC.
Serve on Resident Agent:
Ukebu U. Kalu
2305 Westfield Avenue
Baltimore, Maryland 21214

Plaintiff's Counsel

/s/ J. Stephen Simms